

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. ALAN SACERDOTE, DR. HERBERT
SAMUELS, MARK CRISPIN MILLER,
MARIE E. MONACO, DR. SHULAMITH
LALA STRAUSSNER AND JAMES BROWN,
individually and as representatives of a class of
participants and beneficiaries on behalf of the
NYU School of Medicine Retirement Plan for
Members of the Faculty, Professional Research
Staff and Administration and the New York
University Retirement Plan for Members of the
Faculty, Professional Research Staff and
Administration,

Plaintiffs,

v.

NEW YORK UNIVERSITY,

Defendant.

No. 1:16-cv-06284-KBF

ECF Case

[PROPOSED] JOINT PRETRIAL ORDER

Pursuant to Rule 4 of the Court's individual rules of practice, Plaintiffs Dr. Alan Sacerdote, Dr. Herbert Samuels, Mark Crispin Miller, Marie E. Monaco, Dr. Shulamith Lala Straussner, and James Brown, ("Plaintiffs") and Defendant New York University ("Defendant") joint submit this proposed pre-trial order.

I. The full caption of the action:

The full caption of the action is set forth above.

II. Counsel for parties:

Counsel for Plaintiffs:

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Heather Lea (*pro hac vice*)
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III. The number of trial days:

Court has set aside 50 hours for the trial including the following dates and times:

April 16-19, 2018 from 9:00 a.m. to 5:00 p.m.
April 23, 2018 from 9:00 a.m. to 5:00 p.m.
April 24-25, 2018 from 2:00 p.m. to 5:00 p.m.
April 26, 2018 from 9:00 a.m. to 5:00 p.m.

IV. Joint agreed stipulations or statements of fact or law:

Exhibit 1 – Stipulation regarding Authenticity

Exhibit 2 – Stipulation regarding Undisputed Statement of Facts

Exhibit 3 – Stipulation regarding Plan Data

V. Witness testimony:

Witness	Estimated Direct Examination Time	Estimated Cross Examination Time	Estimated Redirect Examination Time
Peter Hueber	1.25 hours	1 hour	
Patricia Halley	N/A (declaration provided by Defendant)	0.75 hour	.75 hour
Tina Suhr	N/A (declaration provided by Defendant)	1 hour	1 hour
Nancy Sanchez	N/A (declaration provided by Defendant)	1 hour	1 hour
Mark Petti	N/A (declaration provided by Defendant)	1 hour	1.25 hours
Margaret Meagher	N/A (declaration provided by Defendant)	2.25 hour	1.5 hours
Martin Dorph	N/A (declaration provided by Defendant)	1 hour	.5 hour
Jan Rezler	N/A (declaration provided by Defendant)	1 hour	1.5 hours
Douglas Chittenden	N/A (declaration provided by Defendant)	1 hour	1.5 hours
Gerald Buetow	N/A (declaration provided by Plaintiffs)	2 hours	2 hours
Michael Geist	N/A (declaration provided by Plaintiffs)	2 hours	2 hours
Daniel Fischel	N/A (declaration provided by Defendant)	1.5 hours	1.5 hours
L. Adel Turki	N/A (declaration provided by Defendant)	1.25 hours	1.5 hours
Marcia Wagner	N/A (declaration provided by Defendant)	2.25 hours	1.5 hours
Marie Monaco	N/A (declaration provided by Plaintiffs)	0.25 hour	0.25 hour
Mark Crispin Miller	N/A (declaration provided by Plaintiffs)	0.25 hour	0.25 hour
Dr. Alan Sacerdote	N/A (declaration provided by Plaintiffs)	0.25 hour	0.25 hour
Dr. Shulamith Lala Straussner	N/A (declaration provided by Plaintiffs)	0.25 hour	0.25 hour
Total Time:		39.75 hours	

VI. Deposition designations:

Plaintiffs' deposition designations are attached hereto as Exhibit 4.

Defendant's deposition designations are attached hereto as Exhibit 5.

VII. Trial exhibits:

Plaintiffs' trial exhibit list is attached hereto as Exhibit 6.

Defendant's trial exhibit list is attached hereto as Exhibit 7.

VIII. Proposed findings of fact and conclusions of law:

Plaintiffs' proposed findings of fact and conclusions of law are Exhibit 8.

Defendant's proposed findings of fact and conclusions of law are Exhibit 9.

IX. Declarations of direct testimony:

Plaintiffs' declarations of direct testimony are attached hereto as:

Exhibit 10 – Mark Crispin Miller
Exhibit 11 – Dr. Alan Sacerdote
Exhibit 12 – Dr. Shulamith Lala Straussner
Exhibit 13 – Marie Monaco
Exhibit 14 – Gerald Buetow
Exhibit 15 – Michael Geist

Defendant's declarations of direct testimony are attached hereto as:

Exhibit 16 – Patricia Halley
Exhibit 17 – Tina Suhr
Exhibit 18 – Nancy Sanchez
Exhibit 19 – Mark Petti
Exhibit 20 – Margaret Meagher
Exhibit 21 – Martin Dorph
Exhibit 22 – Jan Rezler
Exhibit 23 – Douglas Chittenden
Exhibit 24 – Daniel Fischel
Exhibit 25 – L. Adel Turki
Exhibit 26 – Marcia Wagner

Respectfully submitted,
Dated: April 5, 2018

SCHLICHTER, BOGARD & DENTON, LLP

/s/ Jerome J. Schlichter

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